

On September 10, 1932, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the Gwinn Milling Co., a corporation, Columbus, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, in various consignments on or about September 2, September 17, and November 15, 1930, from the State of Ohio into the State of Kentucky, of quantities of middlings and screenings that were misbranded. The article was labeled in part: (Tag) "Gwinn's Middlings & Screenings Made by Gwinn Milling Co., Columbus, O. Guaranteed Analysis Protein 16.00 Per Cent * * * Made from: Wheat Middlings, Ground Wheat Screenings 2%."

It was alleged in the information that the article was misbranded in that the statements, "Guaranteed Analysis Protein 16.00 Per Cent * * * Made from Wheat Middlings, Ground Wheat Screenings, 2%," borne on the tag, were false and misleading, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser, since the said statements represented that the article contained 16 percent of protein and consisted wholly of a wheat product, whereas it contained less than 16 percent of protein, and consisted in part of a corn product.

On October 22, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$170.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20209. Adulteration and misbranding of marjoram. U.S. v. 2 Bags of Marjoram. Consent decree of destruction entered. (F. & D. no. 25984. I.S. no. 27872. S. no. 4235.)

This action involved a quantity of marjoram which was found to contain earthy material.

On March 5, 1931, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of two bags of marjoram, remaining in the original unbroken packages at Camden, N.J., alleging that the article had been shipped in interstate commerce on or about February 3, 1931, by the Knickerbocker Mills, from New York, N.Y., to Camden, N.J., and charging adulteration and misbranding in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that earthy material had been mixed and packed with and substituted in part for marjoram, which the article purported to be.

Misbranding was alleged for the reason that the article had been offered for sale under the distinctive name of another article.

On October 26, 1932, the owner of the goods, the Knickerbocker Mills Co., being desirous of surrendering the product for destruction, judgment was entered ordering that it be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20210. Adulteration of canned salmon. U.S. v. 6,726 Cases, et al., of Canned Salmon. Consent decrees of condemnation and forfeiture. Product released under bond for segregation and destruction of unfit portion. (F. & D. nos. 28948, 28961, 28981, 28982. Sample nos. 14841-A, 15095-A, 15096-A, 25555-A, 25558-A, 25562-A, 25564-A, 25851-A, 26037-A, 26068-A, 26079-A.)

These actions involved the interstate shipment of quantities of canned salmon which was found to be in part decomposed.

On September 21, October 4, and October 5, 1932, the United States attorney for the Western District of Washington, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 11,537 cases of canned salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Demmert Packing Co., from Klawock, Alaska, in various consignments, on or about August 28, September 7, and September 12, 1932, respectively, and had been transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the Food and Drugs Act.

Adulteration was alleged in the libels with respect to portions of the article for the reason that it consisted in whole or in part of a decomposed animal substance. Adulteration was alleged with respect to the remainder of the